

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 J-PAC, LLC, *et al.*,

10 Plaintiffs,

11 v.

12 COLUMBIA CASUALTY COMPANY,

13 Defendant.

Case No. C17-0400RSL

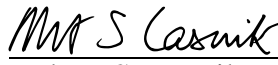
ORDER TO SHOW CAUSE

14
15 This matter comes before the Court *sua sponte*. On March 14, 2017, plaintiffs filed
16 this action in federal court alleging that the Court has jurisdiction based on the diversity
17 of citizenship of the parties. See 28 U.S.C. § 1332(a) (establishing that the federal court’s
18 basic diversity jurisdiction extends to “all civil actions where the matter in controversy
19 exceeds . . . \$75,000 . . . and is between . . . citizens of different States.”). “For a case to
20 qualify for federal jurisdiction under 28 U.S.C. § 1332(a), there must be complete
21 diversity of citizenship between the parties opposed in interest.” Kuntz v. Lamar Corp.,
22 385 F.3d 1177, 1181 (9th Cir. 2004) (internal citation omitted). In examining whether
23 complete diversity is present, the citizenship of a limited liability company is determined
24 by examining the citizenship of the owners/members. See Johnson v. Columbia Props.
25 Anchorage, LP, 437 F.3d 894, 899 (9th Cir. 2006) (holding that “like a partnership, an

1 LLC is a citizen of every state of which its owners/members are citizens”).

2 Plaintiffs have not alleged the citizenship of each of J-PAC, LLC’s
3 owners/members, and their conclusory allegation that citizenship is diverse is insufficient
4 to meet their burden of establishing the basis of the Court’s jurisdiction. See Indus.
5 Tectonics, Inc. v. Aero Alloy, 912 F.2d 1090, 1092 (9th Cir. 1990) (“The party asserting
6 jurisdiction has the burden of proving all jurisdictional facts”); Fed R. Civ. P. 12(h)(3)
7 (“If the Court determines at any time that it lacks subject-matter jurisdiction, the court
8 must dismiss the action”). As a result, plaintiffs are ORDERED TO SHOW CAUSE why
9 the Court should not dismiss this action pursuant to Fed. R. Civ. P. 12(b)(1) by providing
10 the Court with the citizenship of all of J-PAC, LLC’s owners/members at the time the
11 complaint was filed, by March 31, 2017. The Clerk of the Court is directed to place this
12 order to show cause on the Court’s calendar for that date.

13
14 Dated this 16th day of March, 2017.

15 
16 Robert S. Lasnik
17 United States District Judge
18
19
20
21
22
23
24
25